APR 2 4 2007

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Matthew L. Bisque et al.

Serial Number: 10/041,971

Art Unit: 2179

Filed: January 2, 2002

Examiner: Mylinh T. Tran

For: SYSTEM FOR OPERATING AN ASTRONOMICAL OBSERVATORY OVER A

NETWORK

# SUBSTITUTE AMENDMENT UNDER C.F.R. 1.111

Office of Petitions
Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Responsive to a Decision on Petition under 37 CFR 1.78(a)(6) from the Office of Petitions dated April 19, 2007 and a Request for Continued Examination (RCE)

Transmittal filed with an Amendment under C.F.R. 1.111 faxed to the Patent Office on February 5, 2007, please see the following substitute amendment to the specifications on page 1 of the subject nonprovisional patent application.

### STATUS OF THE APPLICATION

A Notice of Allowance and Fee(s) Due was mailed from the Patent Office on November 16, 2006. The issue fee is due on or before February 16, 2007.

#### IN THE SPECIFICATIONS

Enclosed is an amendment to page 1 of the specifications adding a reference to a provisional patent application filed on January 29, 2001 by the subject inventors. The amendment to page 1 is marked "Corrected Replacement Page". A copy of the provisional application's filing receipt marked "Exhibit A" verifying the filing of this

application was faxed with the first amendment on February 5, 2007. Please substitute this Corrected Replacement Page for the current page 1 in the application.

## **CONCLUSION**

Re-examination, reconsideration and allowance of the application are requested in view of the foregoing remarks and the specifications as amended. Should the examiner have any questions regarding this amendment it is urged that she contact the undersigned.

Respectfully submitted,

Edwin H. Crabbee 4/24/2007

Edwin H. Crabtree, Patent Attorney Registration Number 26,720 3773 Cherry Creek N. Dr. Suite 575 Denver, Colorado 80209 303 322 7460

5

10

15

20

25

SYSTEM FOR OPERATING AN ASTRONOMICAL OBSERVATORY IN REAL TIME USING HTTP

This application claims the benefit of provisional patent application, serial number 60/264,302, filed on January 29, 2001, by the subject inventors and having a title "SYSTEM AND METHOD FOR OPERATING AN OBSERVATORY USING A WEB BROWSER".

#### BACKGROUND OF THE INVENTION

#### FIELD OF THE INVENTION

This invention relates to controlling an astronomical observatory by means of a web browser and web server communicating by an http protocol and more particularly, but not by way of limitation to controlling an astronomical observatory wherein a user, by means of the web browser, may manipulate the observatory either remotely or locally in real time and independent of personnel support located at the observatory site.

### DISCUSSION OF THE PRIOR ART

In U.S. Pat. No. 4,682,091 to Krewalk et al. a telescope control system is described. The control system found therein discloses the use of a microprocessor and a motor placed on each of two axis which makes it possible for an operator to receive digital information concerning the position of a telescope and further allow the operator to manipulate the telescope digitally.

U.S. Pat. No. 5,133,050 to George et al. discloses a system for operating a telescope wherein a graphical display representing the night sky maybe used by an operator to guide a telescope. In this system as the operator locates an object on the graphical display the telescope processes the objects location and automatically points to its coordinates.

In U.S. Pat. No. 6,304,376 to Baun et al. a fully automated telescope system with distributed intelligence is described combining a telescope with a controlling processor unit such as a computer wherein, once the geographic location of the telescope has been ascertained, the telescope will automatically point to or track any object in the sky.

None of the above mentioned prior art patents specifically disclose the unique features of the subject system for controlling an astronomical observatory in real time by means of a web browser and web server communicating by way of an http protocol.

#### □PAGE □10